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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/960,571      | 09/21/2001  | Hans-Joerg Mathony   | 10191/1917          | 5723             |

7590 07/02/2003  
KENYON & KENYON  
One Broadway  
New York, NY 10004

EXAMINER

BARNES, CRYSTAL J

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2121

DATE MAILED: 07/02/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/960,571

Applicant(s)

MATHONY, HANS-JOERG

Examiner

Crystal J. Barnes

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "KI.30" and "KI.31" shown in figure 1 and reference number "15" in figure 2 are not mentioned in the specification. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

*Specification*

3. The disclosure is objected to because of the following informalities: "printed circuit board 2" on page 4 line 1 should be "printed circuit board 1". Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,529,124 to Flick.

As per claim 1 wherein a device for one of controlling and regulating an operational sequence in a motor vehicle, comprising: a carrier [housing 38a, 38b, 43]; a communication bus [data communication bus 26]; and a plurality of

arrangements [remote function controller 25, data bus adapter cartridge 40] for performing one of a control and a regulation, each one of the arrangements including a processor [CPU 33, 44] that includes a storage unit [memory 34, 45] and an input and output unit [parallel interface 32, 50; serial interface 39, 56], wherein the plurality of arrangements [remote function controller 25, data bus adapter cartridge 40] are spatially combined on the carrier [housing 38a, 38b, 43] and are interconnected by the communication bus [data communication bus 26]; the Flick reference discloses the control system 20 includes a remote function controller 25 connected to a data communications bus 26 in the vehicle 21 (see figures 1, 2 and column 5 lines 4-10). The data bus adaptor cartridge 40 is for permitting communications between the control circuitry 31 and at least one vehicle device over the data communications bus 26 (see column 5 lines 14-17). The control circuitry 31 may include a parallel interface 32 for interfacing to a corresponding parallel interface 50 in the data bus adaptor cartridge 40 (see column 5 lines 31-36). The data bus adaptor 40 may include a processor or CPU 44 and a memory 45 connected there to (see column 5 lines 64-65). The illustrated cartridge 40 also includes a parallel interface 50 which cooperates with the parallel interface 32 of the remote function controller 25 to permit the exchange of signals therewith (see

column 6 lines 1-4). The data bus adaptor cartridge 40 also illustratively includes a data bus interface 51 (see column 6 lines 5-9).

As per claim 2 wherein the carrier includes a printed circuit board, the Flick reference discloses the remote function controller 25 may also include lower and upper housing shells 38a, 38b assembled together and enclosing most or all of the circuit board 37 (see column 5 lines 44-46). The data bus adaptor cartridge 40 may also include its own circuit board 42 which carries one or more integrated and/or discrete electronic components (see column 5 lines 58-60). The data bus adaptor cartridge 40 may include a housing 43 which carries the circuit board 42 (see figure 5 and column 8 lines 11-14).

As per claim 5 wherein the communications bus is to be decoupled from a data bus of the motor vehicle, the Flick reference discloses the system 20 also includes a data bus adaptor cartridge connector 30, and control circuitry 31 coupled thereto, and a data bus adaptor cartridge 40 removably coupled to the data bus adaptor cartridge connector (see column 5 lines 11-17). The data bus adaptor circuitry or cartridge may in the form of a single integrated circuit 65 which is removably mounted to the circuit board 37 via an integrated circuit

socket 66 as will be appreciated by those skilled in the art (see figure 6 and column 24-30).

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,529,124 to Flick in view of USPN 4,910,658 to Dudash et al.

As per claim 3 further comprising a plurality of voltage regulators, the Flick reference does not expressly disclose a plurality of voltage regulators.

The Dudash et al. reference discloses power regulator 108 comprises a conventional voltage regulator which functions to ensure that a stable voltage level is supplied to the microprocessor 100 (see column 11 lines 5-8).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the power source of the remote vehicle

function control system taught by the Flick reference to include the conventional voltage regulator taught by the Dudash et al. reference.

One of ordinary skill in the art would have been motivated to include the conventional voltage regulator to ensure that a stable voltage level is supplied to the microprocessor/CPU.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,529,124 to Flick in view of USPN 6,338,010 to Sparks.

As per claim 4 further comprising an auxiliary energy source, the Flick reference does not expressly disclose an auxiliary energy source.

The Sparks et al. reference discloses alternatively, module 10 may include a second electrical connector 40, preferably mounted or attached to housing 12, and having signal paths 42 and 44 connected therefrom to circuit board 14. The opposite end of connector 40 is electrically connected to a vehicle power and ground bus 46 that typically includes at least a pair of wires carrying a dc potential and a ground potential respectively. (See column 4 lines 57-67).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to provide the remote vehicle function control system



taught by the Flick reference with a secondary power source taught by the Sparks et al. reference.

One of ordinary skill in the art would have been motivated to provide an auxiliary power source to provide backup/standby functionality to the control system.

### *Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to control of parallel processors in general:

USPN 6,326,704 to Breed et al.

USPN 4,607,256 to Henzel et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 703.306.5448. The examiner can normally be reached on Monday-Friday alternate Mondays off.

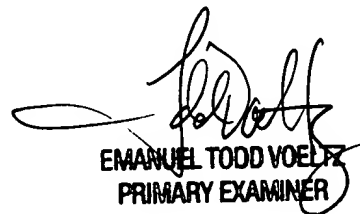
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 703.305.8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703.746.7239 for regular communications and 703.746.7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

cjb  
June 30, 2003

  
EMANUEL TODD VOELTZ  
PRIMARY EXAMINER